

## **RHS, RBS, RUS, FSA, USDA**

## **§ 1951.1**

1951.703 Policy.  
1951.704–1951.705 [Reserved]  
1951.706 Initial determination that unauthorized assistance was received.  
1951.707 Notification to recipient.  
1951.708 Decision on servicing actions.  
1951.709–1951.710 [Reserved]  
1951.711 Servicing options in lieu of liquidation or legal action to collect.  
1951.712–1951.714 [Reserved]  
1951.715 Account adjustments and reporting requirement.  
1951.716 Exception authority.  
1951.717–1951.749 [Reserved]  
1951.750 OMB Control number.

### **Subparts P–Q [Reserved]**

#### **Subpart R—Rural Development Loan Servicing**

1951.851 Introduction.  
1951.852 Definitions and abbreviations.  
1951.853 Loan purposes for undisbursed RDLF loan funds from HHS.  
1951.854 Ineligible assistance purposes.  
1951.855–1951.858 [Reserved]  
1951.859 Terms of loans.  
1951.860 Interest on loans.  
1951.861–1951.865 [Reserved]  
1951.866 Security.  
1951.867 Conflict of interest.  
1951.868–1951.870 [Reserved]  
1951.871 Post award requirements.  
1951.872 Other regulatory requirements.  
1951.873–1951.876 [Reserved]  
1951.877 Loan agreements.  
1951.878–1951.880 [Reserved]  
1951.881 Loan servicing.  
1951.882 [Reserved]  
1951.883 Reporting requirements.  
1951.884 Non-Federal funds.  
1951.885 Loan classifications.  
1951.886–1951.888 [Reserved]  
1951.889 Transfer and assumption.  
1951.890 Office of Inspector General and Office of General Counsel referrals.  
1951.891 Liquidation; default.  
1951.892–1951.893 [Reserved]  
1951.894 Debt settlement.  
1951.895 [Reserved]  
1951.896 Appeals.  
1951.897 Exception authority.  
1951.898–1951.899 [Reserved]  
1951.900 OMB control number.

#### **Subpart S— Farm Loan Programs Account Servicing Policies**

1951.901 Purpose.  
1951.902 General.  
1951.903 Authorities and responsibilities.  
1951.904 Mediation, reviews and appeals.  
1951.905 [Reserved]  
1951.906 Definitions.  
1951.907 Notice of Loan Service Programs.  
1951.908 Servicing financially distressed current borrowers.

1951.909 Processing primary loan service programs requests.  
1951.910 Consideration of borrower's other assets for new applications.  
1951.911 Homestead protection.  
1951.912 Mediation.  
1951.913 Servicing Net Recovery Buyout Recapture Agreements.  
1951.914 Servicing shared appreciation agreements.  
1951.915 [Reserved]  
1951.916 Exception authority.  
1951.917–1951.949 [Reserved]  
1951.950 OMB control number.

EXHIBIT A TO SUBPART S—NOTICE OF THE AVAILABILITY OF LOAN SERVICING AND DEBT SETTLEMENT PROGRAMS FOR DELINQUENT FARM BORROWERS

EXHIBIT D TO SUBPART S [RESERVED]

EXHIBIT G TO SUBPART S—DEFERRAL, REMORTIZATION, AND RECLASSIFICATION OF DISTRESSED FARMER PROGRAM (FP) LOANS FOR SOFTWOOD TIMBER PRODUCTION (ST) LOANS

EXHIBIT H TO SUBPART S—CONSERVATION CONTRACT PROGRAM

#### **Subpart T—Disaster Set-Aside Program**

1951.951 Purpose.  
1951.952 General.  
1951.953 Notification and request for DSA.  
1951.954 Eligibility and loan limitation requirements.  
1951.955–1951.956 [Reserved]  
1951.957 Eligibility determination and processing.  
1951.958 Cancellation and reversal of DSA.  
1951.959 Exception authority.  
1951.960–1951.1000 [Reserved]

AUTHORITY: 5 U.S.C. 301; 7 U.S.C. 1932 Note; 7 U.S.C. 1989; 31 U.S.C. 3716; 42 U.S.C. 1480

EDITORIAL NOTE: Some of the exhibits referenced in this part 1951 are not published in the Code of Federal Regulations. Exhibits are available in any FmHA or its successor agency under Public Law 103-354 office.

#### **Subpart A—Account Servicing Policies**

SOURCE: 50 FR 45764, Nov. 1, 1985, unless otherwise noted.

### **§ 1951.1 Purpose.**

This subpart sets forth the policies and procedures to use in servicing Farmer Program loans (FP) which include Softwood Timber (ST), Operating Loan (OL), Farm Ownership (FO), Soil and Water (SW), Recreation Loan (RL), Emergency Loan (EM), Economic

## § 1951.2

Emergency Loan (EE), Special Livestock Loan (SL), Economic Opportunity Loan (EO), and Rural Housing Loan for farm service buildings (RHF) accounts. This subpart also applies to Rural Rental Housing Loan (RRH), Rural Cooperative Housing Loan (RCH), Labor Housing Loan (LH), Rural Housing Site Loan (RHS), and Site Option Loan (SO) accounts not covered under the Predetermined Amortization Schedule System (PASS). Loans on PASS will be administered under subpart K of part 1951 of this chapter. Cases involving unauthorized assistance will be serviced under Subparts L and N of this part. Cases involving graduation of borrowers to other sources of credit will be serviced under Subpart F of this part.

[52 FR 26134, July 13, 1987]

EFFECTIVE DATE NOTE: At 69 FR 69105, Nov. 26, 2004, § 1951.1 was amended by revising the words “subpart K of part 1951 of this chapter” to read “7 CFR part 3560, subpart I”, effective Feb. 24, 2005.

### § 1951.2 Policy.

Borrowers are expected to pay their debts to the Farmers Home Administration or its successor agency under Public Law 103-354 (FmHA or its successor agency under Public Law 103-354) in accordance with their agreements and ability to pay. They will be encouraged to pay ahead of schedule, consistent with sound financial management. When borrowers have acted in good faith and have exercised due diligence in an effort to pay their indebtedness but cannot pay on schedule because of circumstances beyond their control, servicing actions will be consistent with the best interests of the borrower and the Government. It is the policy of this agency to service borrower loan account without regard to race, color, religion, sex, marital status, national origin, age, physical or mental handicap (borrower must possess the capacity to enter into a legal contract for services).

### § 1951.3 Authorities and responsibilities.

County Supervisors and District Directors are responsible for servicing all FmHA or its successor agency under Public Law 103-354 accounts serviced

## 7 CFR Ch. XVIII (1-1-05 Edition)

by the County and District Offices as prescribed by this subpart under the general guidance and supervision of District Directors and State Office personnel. Full use will be made of the County Office Management System in account servicing. For the purposes of this Subpart, all references to “County Supervisor” shall be construed to mean “District Director” for all loans serviced by the District Office.

### §§ 1951.4–1951.6 [Reserved]

### § 1951.7 Accounts of borrowers.

(a) *Accounts of active borrowers.* The foundation for proper and timely debt payment is sound farm and home planning or budgeting, including plans for debt payment, supplemented by effective followup management assistance. Account servicing, therefore, must begin with initial planning and must be an integral part of analysis and subsequent planning, as well as follow-up management assistance.

(b) *Accounts of collection-only borrowers.* (1) Collection-only borrowers are expected to pay debts to FmHA or its successor agency under Public Law 103-354 in accordance with their ability to pay. Efforts to collect such debts, including use of collection letters and account servicing visits, must be coordinated with other program activities. If these borrowers are unable to pay in full, appropriate debt settlement policies should be promptly applied.

(2) Envelopes addressed to collection-only borrowers will bear the legend “DO NOT FORWARD.” When an envelope is returned indicating the borrower has moved, appropriate steps will be taken to determine the borrower’s correct address.

(3) Regular County Office employees are generally expected to service the collection-only caseload when it is of moderate size. State Directors may assign additional employees to County Offices having large collection-only caseloads when necessary to service such cases to a prompt conclusion. State Directors may inform the National Office of the need for employing special collection personnel in urban areas having large collection-only caseloads when employees are not available to assign to such areas.